

**REMARKS**

Claims 1-13 are all the claims pending in the application.

**I. Rejections under 35 U.S.C. § 103(a) in view of U.S. 5,243,528 to Lefebvre and JP 2000-09484 to Suzuki et al.**

The Examiner has rejected claims 1-4, 6, 7 and 12 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lefebvre and Suzuki.

**A. Claim 1**

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites that when a route is searched, the route guidance information which pertains to the searched route is changed to reflect a previously determined route deviated position when the searched route was last traveled. Such change is reflected before the route guidance information is output for use. Accordingly, a previous deviation from the searched route can be avoided when the searched route is again traveled (i.e., so that the user or vehicle does not make the same mistake twice).

The Examiner acknowledges that Lefebvre fails to disclose the above features, and therefore, refers to the Suzuki reference. In the May 8, 2006 Response, Applicant provided arguments as to why Suzuki fails to cure the deficient teachings of Lefebvre. Applicant maintains all arguments presented in the May 8, 2006 Response. Only a portion of such arguments are included herein for discussion purposes. In particular, as disclosed in the English Abstract of Suzuki, previous path deviations are stored and when the same route is again

traveled, caution information is provided to the driver when the driver approaches the previously deviated position. However, there is no *change* made in the route guidance for a searched route before such information is output to the user, as recited in claim 1. Rather, the driver will be instructed to follow on the exact same route as before, except that when the driver approaches a problem area, the driver will be cautioned as an “FYI” during travel on the requested route.

In Lefebvre, when a user initially inputs a requested route or trip data, the user will specify what route is requested and what areas the user would like to avoid, i.e., detour data, and such data is input via the input device 12 (col. 6, lines 14-40). Based on the user input data, a route will be calculated. Accordingly, in Lefebvre, the route is determined or calculated based on specific instructions/preferences from the user, and no further change is made to the user requested route (i.e., the route is requested and is then determined based on that request). On the other hand, in the present invention, Applicant noted that when a route is requested, the route is *automatically determined from the start* to reflect previously determined route deviated positions.

In response to the above arguments, the Examiner maintains that if the invention as taught by Suzuki is used with the invention of Lefebvre, it would have been obvious to, “use the invention as taught by Suzuki et al to be able to keep in memory the deviation points and add the deviation points into the areas to be avoided as input by the user so as to avoid areas where the user has had trouble” (emphasis added) (pg. 2 of current Office Action). Thus, as acknowledged by the Examiner, and taught in Lefebvre, the user actually “inputs” the areas to be avoided. On the contrary, in claim 1, when a route is requested, the route is automatically determined from

the start to reflect previously determined route deviated positions (i.e., “route guidance changing means for changing the route guidance, prior to outputting the route guidance for the searched route, on the basis of information on the previously determined route deviated positions stored in the route deviant position storing means, such that the outputted route guidance avoids the previously determined route deviated positions”).

Based on the Examiner’s comments on page 2 of the current Office Action, the alleged combination of Suzuki and Lefebvre would provide a system where a user can input areas to avoid when requesting a route and then, while traversing the route, caution information would be provided to the user when the user approaches a previously deviated position. Thus, the specific feature of claim 1, cited above, is still be lacking from the alleged combination.

At least based on the foregoing, Applicant submits that claim 1 is patentable over the cited references.

**B. Claims 2-4, 6-7 and 12**

Sine claims 2-4, 6, 7 and 12 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

**II. Rejection under 35 U.S.C. § 103(a) in view of Lefebvre, Suzuki and US 2002/0109602 to Shinada et al. (“Shinada”)**

The Examiner has rejected claim 8 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lefebvre, Suzuki and Shinada. However, since claim 8 is dependent upon claim 1, and Shinada fails to cure the deficient teachings of Lefebvre and Suzuki, in regard to claim 1, Applicant submits that such claim is patentable at least by virtue of its dependency.

**III. Rejections under 35 U.S.C. § 103(a) in view of Lefebvre, Suzuki and U.S. 6,594,580 to Tada et al.**

The Examiner has rejected claims 9 and 11 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lefebvre, Suzuki and Tada. However, since claims 9 and 11 are dependent upon claim 1, and Tada fails to cure the deficient teachings of Lefebvre and Suzuki, in regard to claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

**IV. Rejections under 35 U.S.C. § 103(a) in view of Lefebvre, Suzuki and U.S. 6,847,885 to Sato et al.**

The Examiner has rejected claim 10 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lefebvre, Suzuki and Sato. However, since claim 10 is dependent upon claim

1, and Sato fails to cure the deficient teachings of Lefebvre and Suzuki, in regard to claim 1, Applicant submits that claim 10 is patentable at least by virtue of its dependency.

**V. Rejection under 35 U.S.C. § 103(a) in view of Lefebvre, Suzuki and U.S. Publ. No. 2004/0128066 to Kudo et al.**

The Examiner has rejected claim 13 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lefebvre, Suzuki and Kudo. However, since claim 13 is dependent upon claim 1, and Kudo fails to cure the deficient teachings of Lefebvre and Suzuki, in regard to claim 1, Applicant submits that claim 13 is patentable at least by virtue of its dependency.

**VI. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

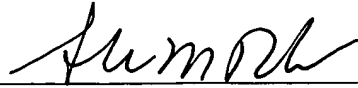
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Respectfully submitted,



Allison M. Tulino  
Registration No. 48,294

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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